

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2017-2586783
Office of Consumer Advocate	:	C-2017-2592092
Office of Small Business Advocate	:	C-2017-2593497
v.	:	
	:	
Philadelphia Gas Works	:	

**PETITION TO INTERVENE
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.61-5.76, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), through its counsel at the Pennsylvania Utility Law Project, hereby petitions the Pennsylvania Public Utility Commission (“Commission”) to intervene in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. On February 28, 2017, Philadelphia Gas Works (PGW) filed Supplement No. 100 to PGW’s Gas Service Tariff – PA. P.U.C. No. 2 (Supplement No. 100) to become effective April 28, 2017, seeking a general rate increase calculated to produce \$70 million (11.6%) in additional annual revenues. PGW also filed a Petition for Waiver seeking waiver of the application of the statutory definition of the fully projected future test year (FPFTY) so as to permit PGW to use a FPFTY beginning on September 1, 2017 in this proceeding.

2. In its proposed rate structure, PGW seeks to introduce a 50% increase to their fixed monthly charge from \$12 per month to \$18.00 per month.

3. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which provides in relevant part that “[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.” 52 Pa. Code § 5.72(a).

4. Section 5.72 further provides that the right or interest may be one “which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” 52 Pa. Code. § 5.72(a)(2).

5. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members ... as long as an organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action, [i.e., is aggrieved, the organization] has standing.” Energy Cons. Council of Pa. v. Pa. P.U. C., 995 A.2d 465, 476 (Pa. Commw. 2010) (alteration in original) (citing Tripps Park v. Pa. P.U. C., 415 A.2d 967 (Pa. Commw. 1980); Parents United for Better Schools v. School District of Phila., 646 A.2d 689 (Pa. Commw. 1994)).

6. CAUSE-PA is an unincorporated association of low-income individuals that advocates on behalf of its members to enable consumers of limited economic means to connect to and maintain affordable water, electric, heating and telecommunication services.

7. CAUSE-PA membership is open to moderate and low- income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping low-income families maintain affordable access to utility services and achieve economic independence.

8. CAUSE-PA is located, c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.

9. CAUSE-PA has a significant interest in the impact that the proposed PGW rate increase will have on moderate and low income residential customers within the PGW service territory.

10. At least one member¹ of CAUSE-PA is a current PGW customer, and will be directly affected by the outcome of this proceeding. Particularly, this proceeding will affect the price that CAUSE-PA members pay for natural gas service as well as the reliability and quality of that service.

11. CAUSE-PA has standing to intervene because its members have or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

12. CAUSE-PA is represented in this proceeding by:

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¹ Ms. Sonia Brookins, Ms. Robin Evans, Ms. Marjorie Jackson, Mr. .Leodus Jones, Ms. Marsha Mathis, and Jahala McLendon are members of CAUSE-PA and customers of PGW.

13. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@palegalaid.net, as provided in 52 Pa. Code § 1.54(b)(3).

14. CAUSE-PA has preliminarily reviewed the PGW rate filing, and objects to the request on the grounds that the proposed rate increase is likely to result in unjust and unreasonable rates that would impose severe hardship on low and moderate income residential customers and consumers.

15. Continued delivery of safe, affordable, and accessible natural gas service based on reasonable terms and conditions is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means – and is subject to significant regulatory and statutory protections. See, e.g., 66 Pa. C.S. § 2203(3), (8); 52 Pa. Code Chs. 56 & 58.

16. CAUSE-PA asserts that the PGW rate filing, and any future modifications presented by intervening parties, must be thoroughly reviewed to ensure that all customers are able to access safe, affordable natural gas service within the PGW service territory.

WHEREFORE, CAUSE-PA respectfully requests that the Commission enter an order granting CAUSE-PA full status as an intervener in this proceeding with active party status.

Respectfully submitted,

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



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Date: March 22, 2017

Verification

I, **Carl Bailey**, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of CAUSE-PA, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 10 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).


Mr. Carl Bailey

On behalf of the Executive Committee of the
Coalition for Affordable Utility Services and
Energy Efficiency in Pennsylvania (CAUSE-PA)

Date: March 22, 2017